

HARLEY W. ADAMS

IBLA 79-171

Decided September 28, 1979

Appeal from decision of Colorado State Office, Bureau of Land Management, rejecting simultaneous oil and gas lease offer for Parcel No. CO-3.

Affirmed.

1. Oil and Gas leases: Applications: Generally -- Oil and Gas Leases:  
Applications: Drawings

A simultaneous oil and gas lease offer is properly rejected where the drawing entry card is not signed or dated by the offeror.

APPEARANCES: Harley W. Adams, pro se.

OPINION BY ADMINISTRATIVE JUDGE LEWIS

Harley W. Adams 1/ appeals from a decision of the Colorado State Office, Bureau of Land Management (BLM), dated January 5, 1979, rejecting his simultaneous oil and gas lease offer for Parcel No. CO-3 because it was not signed and fully executed by the offeror as required by 43 CFR 3112.2-1(a). Appellant's drawing entry card (DEC) was drawn with second priority in the drawing held October 31, 1978. The offeror having the card drawn with first priority had been disqualified.

In his statement of reasons, appellant asserts that he failed to double check the card before putting it in the drop at the BLM office because he was in a rush to visit a relative in the hospital. Also, appellant notes that his signed check should indicate that it was his intention to comply.

We note that appellant did not sign or date his DEC.

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1/ Donna E. Adams, who does not appear on the drawing entry card and whose identity is unexplained, also signed the Notice of Appeal.

[1] Regulation 43 CFR 3112.2-1(a) states that a drawing entry card shall be "signed and fully executed by the applicant or by his duly authorized agent in his behalf." The regulations are mandatory and require strict compliance. The Board has consistently held that entry cards which are not signed or dated must be rejected. Harley W. Adams, 42 IBLA 226 (1979); Darrell J. Sekin, 40 IBLA 156 (1979); Jack L. MacDowell, 34 IBLA 202 (1978); Adobe Oil and Gas Corp., 34 IBLA 13 (1978); Milo W. Snider, 33 IBLA 42 (1977); Thomas C. Moran, 32 IBLA 168 (1977). As this Board stated in Thomas Buckmann, 23 IBLA 21, 22 (1975), "[T]he signing of the card is the certification of all other statements made on the card." Since appellant's DEC was neither signed nor dated as required by 43 CFR 3112.2-1(a), BLM was compelled to reject his lease offer.

Therefore, pursuant to the authority delegated to the Board of Land Appeals by the Secretary of the Interior, 43 CFR 4.1, the decision appealed from is affirmed.

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Anne Poindexter Lewis  
Administrative Judge

We concur:

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Newton Frishberg  
Chief Administrative Judge

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Douglas E. Henriques  
Administrative Judge

